

Background

David S. Taylor Interests, Inc., proposes a mixed-use development of residential and office space, with ground-floor retail space on a site bordered by 3rd Street, Franklin Street, 2nd Street, and Broadway within the Estuary Policy Plan (EPP) area of the City. Upon review of the Basic Application for Development Review, the City determined, as lead agency pursuant to CEQA, that an EIR is warranted. Accordingly, this EIR has been prepared for the proposed project.

Purpose of the EIR

This EIR has been prepared in accordance with CEQA and the State CEQA Guidelines. CEQA requires all state and local government agencies to consider the environmental consequences of projects over which they have discretionary authority before taking action on these projects.

The purpose of this EIR is to analyze the environmental effects of the proposed project and to identify feasible measures and alternatives to reduce or avoid significant environmental impacts that would result from implementation of the proposed project. CEQA requires proponents of projects approved or implemented by public agencies to mitigate or avoid significant impacts and to identify significant impacts that cannot be avoided, growth-inducing impacts, impacts found not to be significant, and significant cumulative impacts.

This EIR is an informational document that will be used by agencies involved in the planning and decision-making process. It is not intended to recommend approval or denial of the proposed project.

Public Review Process

The City encouraged public discussion and comments on the scope of the EIR through distribution of the NOP on March 12, 2001. The proposed project and the environmental issues associated with it were discussed at a scoping meeting

convened by the Planning Commission on April 4, 2001. In addition, a community meeting was held on March 1, 2001, to provide the public with an opportunity to review exhibits of the proposed project, obtain information about the project, ask questions, and provide input to the planning team at an early stage. The NOP and copies of all correspondence received during the NOP public comment period are included in Appendix A.

This draft EIR will be circulated for a 45-day public review period (beginning February 1, 2002, and closing on March 20, 2002). During the public review period, the Planning Commission will hold a public hearing to receive written and oral comments regarding the draft EIR. This hearing is scheduled for March 20, 2002. The public comment period ends with close of this public hearing.

In reviewing this draft EIR, readers should assess how well the document identifies and analyzes the project's possible impacts on the environment and the ways in which significant impacts might be avoided or mitigated. Comments are most helpful when they suggest specific measures that would better avoid or mitigate significant environmental impacts.

Comments may be made on the draft EIR either in writing before the end of the comment period or at the public hearing. Written comments may be submitted to Pat McGowan, City of Oakland, Community and Economic Development Agency, Planning Division, 250 Frank H. Ogawa Plaza, Suite 3330, Oakland, CA 94610. Comments may also be submitted by fax to 510/238-6538 or by e-mail to: pmcgowan@oaklandnet.com. Please reference case number ER01-0008 in your response. Following the close of the public comment period, the City will prepare and publish a final EIR that contains responses to all points raised during the public comment period. Public comments will be incorporated into the final EIR that will then be considered by the Planning Commission for certification.

Scope of the EIR Analysis

Based on the NOP and public scoping process, the City determined that the EIR should address impacts pertaining to the resource topics listed as follow:

- Land use and planning ;
- Cultural resources;
- Transportation and traffic;
- Public services and utilities;
- Air quality;
- Noise;
- Visual quality;
- Shadow and wind; and

- Hazards and hazardous materials.

The project was considered to have no impact on the issues addressed below for the reasons described in Appendix A. Therefore, these issues are not addressed further in this EIR.

- Agricultural resources
- Biological resources
- Hydrology and water quality
- Population and housing

Terminology Used in the EIR

This EIR uses the following terminology to denote the significance of the proposed project's environmental impacts:

- *no impact* means that no change from existing conditions is expected to occur;
- a *less-than-significant* impact would cause no substantial adverse change in the environment (no mitigation is recommended);
- a *potentially significant* impact might cause a substantial adverse change in the environment (mitigation is recommended);
- a *significant and unavoidable* impact is one that would cause a substantial adverse change in the environment and cannot be avoided if the project is implemented; mitigation may be recommended but will not reduce the impact to a less-than-significant level.

This EIR also identifies mitigation measures. The State CEQA Guidelines (Section 15370) define mitigation as measures that:

- a. avoid the impact altogether by not taking a certain action or parts of an action;
- b. minimize the impacts by limiting the degree or magnitude of the action and its implementation;
- c. rectify the impact by repairing, rehabilitating, or restoring the affected environment;
- d. reduce or eliminate the impact over time through preservation and maintenance operations during the life of the action; and
- e. compensate for the impact by replacing or providing substitute resources or environments.

Organization of the EIR

The content and format of this EIR are designed to meet the requirements of CEQA and the State CEQA Guidelines. This EIR is organized as follows so that the reader can easily obtain information about the proposed project and its specific environmental issues.

- Executive Summary and Summary of Potential Impacts and Proposed Mitigation Measures.
- Chapter 1, “Introduction,” provides a brief overview of the EIR.
- Chapter 2, “Project Description,” describes the proposed project.
- Chapter 3, “Environmental Analysis,” describes the potential environmental impacts of the proposed project. Each selected resource topic is presented in an individual section or subchapter. Each subchapter describes the existing conditions in the project area, evaluates direct and indirect impacts that would result from implementation of the project, and recommends mitigation measures that would eliminate or reduce significant impacts.
- Chapter 4, “Other Considerations under CEQA,” describes cumulative and growth-inducing impacts of the proposed project and the irreversible commitments.
- Chapter 5, “Alternatives Analysis,” describes and analyzes alternatives to the proposed project, including the No-Project Alternative.
- Chapter 6, “References Cited,” identifies the printed references and personal communications used in preparing this EIR.
- Chapter 7, “Report Preparation,” lists the individuals involved in preparing this EIR.
- Chapter 8, “Acronyms and Abbreviations,” defines the various acronyms and abbreviations used throughout this EIR.

Technical appendices are included at the end of the report.

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